

# EXHIBIT 27

L. Ori

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

AWARE PRODUCTS LLC D/B/A )  
VOYANT BEAUTY, )

Plaintiff, )

vs. )

No. 4:21-cv-249-JCH

EPICURE MEDICAL, LLC, )  
FOXHOLE MEDICAL, LLC, and )  
LEE ORI, )

Defendants. )

REMOTE VIDEOTAPED DEPOSITION OF LEE ORI

March 24, 2022

Reported by:

KATHY S. KLEPFER, RMR, RPR, CRR, CLR

JOB NO. 208140

<p>1 L. Ori Page 2</p> <p>2 March 24, 2022</p> <p>3</p> <p>4 REMOTE videotaped deposition of</p> <p>5 LEE ORI, before Kathy S. Klepfer, a</p> <p>6 Registered Professional Reporter,</p> <p>7 Registered Merit Reporter, Certified</p> <p>8 Realtime Reporter, Certified Livenote</p> <p>9 Reporter, and Notary Public of the State</p> <p>10 of New York.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 L. Ori Page 3</p> <p>2 A P P E A R A N C E S:</p> <p>3 (All Appearing Remotely)</p> <p>4</p> <p>5 SHER TREMONTE</p> <p>6 Attorneys for Plaintiff</p> <p>7 90 Broad Street</p> <p>8 New York, NY 10004</p> <p>9 BY: JUSTIN GUNNELL, ESQ.</p> <p>10 ROBERT PENN, JR., ESQ.</p> <p>11</p> <p>12 KORANTENG LAW FIRM</p> <p>13 Attorneys for Defendants</p> <p>14 5050 Quorum Drive</p> <p>15 Dallas, TX 75254</p> <p>16 BY: FIBBENS KORANTENG, ESQ.</p> <p>17</p> <p>18</p> <p>19 ALSO PRESENT:</p> <p>20 TRISHA VON LANKEN, Videographer</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 L. Ori Page 4</p> <p>2 INDEX</p> <p>3 TESTIMONY OF LEE ORI PAGE</p> <p>4 MR. GUNNELL ..... 9</p> <p>5 MR. KORANTENG .....</p> <p>6</p> <p>7 ORI EXHIBITS: PAGE</p> <p>8 Exhibit 1, LinkedIn profile of Lee Ori 26</p> <p>9 Exhibit 2, Picture from website RCTherapy.com 33</p> <p>10 Exhibit 3, Document titled "Missouri Board of 40</p> <p>11 Pharmacy Newsletter," dated August 2016</p> <p>12 Exhibit 4, Document of three pages titled, 44</p> <p>13 "Michigan Board of Pharmacy Disciplinary</p> <p>14 Subcommittee"</p> <p>15 Exhibit 5, Collection of Foxhole formation 56</p> <p>16 documents, Bates-stamped DEF3744 to DEF3793</p> <p>17 Exhibit 6, Document titled, "Account 62</p> <p>18 Agreement," Bates-stamped DEF0031</p> <p>19 Exhibit 7, Document titled, "Epicure Medical, 77</p> <p>20 LLC, Organization Chart," Bates-stamped DEF3683</p> <p>21 Exhibit 8, Document titled "Epicure Medical, 87</p> <p>22 LLC, Limited Liability Company Operating</p> <p>23 Agreement," Bates-stamped DEF3505 to DEF3545</p> <p>24 Exhibit 9, Document titled, "Account 91</p> <p>25 Agreement," Bates-stamped DEF0030</p> <p>26 Exhibit 10, Sales brochure from Epicure's 111</p> <p>27 website</p> <p>28 Exhibit 11, E-mail chain, Bates-stamped DEF1139 121</p> <p>29 to DEF1146</p> <p>30 Exhibit 12, Letter on Foxhole Medical 134</p> <p>31 letterhead, Bates-stamped DEF3835</p>	<p>1 L. Ori Page 5</p> <p>2 INDEX (Cont'd.)</p> <p>3 ORI EXHIBITS: PAGE</p> <p>4 Exhibit 13, E-mail chain with attachment, 142</p> <p>5 Bates-stamped DEF4592 to DEF4595</p> <p>6 Exhibit 14, Epicure Medical, LLC Purchase 149</p> <p>7 Orders, consisting of eight pages,</p> <p>8 Bates-stamped DEF4741 to DEF4748</p> <p>9 Exhibit 15, E-mail chain dated April 22, 2020, 162</p> <p>10 Bates-stamped DEF4659 to DEF4660</p> <p>11 Exhibit 16, Document entitled, "Promissory 167</p> <p>12 Note," Bates-stamped Bates-stamped DEF4737 to</p> <p>13 DEF4740</p> <p>14 Exhibit 17, E-mail chain, Bates-stamped 177</p> <p>15 Bates-stamped DEF0736 to DEF0737</p> <p>16 Exhibit 18, E-mails starting with e-mail from 181</p> <p>17 Mark Murray at Triad Bank, Bates-stamped</p> <p>18 DEF0702 to DEF0703</p> <p>19 Exhibit 19, e-mail from 183</p> <p>20 LeeOri@EpicureMedical.com, Bates-stamped</p> <p>21 DEF0572</p> <p>22 Exhibit 20, Letter from Epicure Medical to 194</p> <p>23 Michael Partridge at Voyant dated June 4, 2020,</p> <p>24 Bates-stamped DEF3680</p> <p>25 Exhibit 21, E-mail chain with attachment, 199</p> <p>26 Bates-stamped DEF1646</p> <p>27 Exhibit 22, E-mail chain with top e-mail from 207</p> <p>28 Lee Ori at Epicure Medical to Epicure Medical</p> <p>29 accounting, Bates-stamped DEF3872 to DEF3875</p> <p>30 Exhibit 23, E-mail from Lee Ori to Dan Reilly, 215</p> <p>31 Bates-stamped DEF0774 to DEF0775</p> <p>32 Exhibit 24, E-mail chain with top e-mail from 217</p> <p>33 Lee Ori to Michael Partridge and Paul Heslin,</p> <p>34 with CC to Dan Reilly, Bates-stamped DEF0635 to</p> <p>35 DEF0637</p>

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<p>Page 8</p> <p>1 L. Ori</p> <p>2 number 1 of the video-recorded deposition of</p> <p>3 Lee Ori in the matter of Aware Products LLC,</p> <p>4 doing business as Voyant Beauty versus</p> <p>5 Epicure Medical, LLC, et al., in the United</p> <p>6 States District Court, Eastern District of</p> <p>7 Missouri, Eastern Division, Case No.</p> <p>8 4:21-cv-249-JCH.</p> <p>9 This deposition is being held remotely</p> <p>10 on Thursday, March 24, 2022 at approximately</p> <p>11 9:32 a.m.</p> <p>12 Counsel, will you introduce yourselves</p> <p>13 and the parties you represent, after which</p> <p>14 the court reporter will swear in the</p> <p>15 witness.</p> <p>16 MR. GUNNELL: Good morning. My name</p> <p>17 is Justin Gunnell from Sher Tremonte, and I</p> <p>18 represent the plaintiff Aware Products LLC,</p> <p>19 doing business as Voyant Beauty.</p> <p>20 I am also here with my colleague</p> <p>21 Robert Penn.</p> <p>22 MR. KORANTENG: Good morning. This is</p> <p>23 Fibbens Koranteng, and I represent Lee Ori,</p> <p>24 Foxhole Medical, LLC and Epicure Medical,</p> <p>25 LLC, all defendants in this case.</p>	<p>Page 9</p> <p>1 L. Ori</p> <p>2 * * *</p> <p>3 LEE ORI, called as a</p> <p>4 witness, having been duly sworn by a Notary</p> <p>5 Public, was examined and testified as</p> <p>6 follows:</p> <p>7 EXAMINATION BY</p> <p>8 MR. GUNNELL:</p> <p>9 Q. Good morning, Mr. Ori.</p> <p>10 A. Good morning.</p> <p>11 Q. My name is Justin Gunnell. As I</p> <p>12 mentioned, this is my colleague Robert Penn. We</p> <p>13 represent the plaintiff in this action, Aware</p> <p>14 Products LLC, doing business as Voyant Beauty,</p> <p>15 who I will refer to today as "Voyant."</p> <p>16 I want to just go over a few ground</p> <p>17 rules. Today I'm going to ask you a series of</p> <p>18 questions. Everything is recorded, both on</p> <p>19 video and by a stenographer.</p> <p>20 The court reporter can only take down</p> <p>21 verbal answers and cannot take down more than</p> <p>22 one person at a time. So let's try not speak</p> <p>23 over one another. I'll do my best not to speak</p> <p>24 over you when you're giving an answer, and</p> <p>25 please do your best not to speak over me when</p>

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1 L. Ori  
2 I'm asking a question.  
3 And this is particularly true in a  
4 remote environment like we have today: If you  
5 don't understand a question that I am phrasing  
6 to you, please ask me to rephrase it.  
7 If you need a break, I will do my best  
8 to accommodate you, but I ask that you answer  
9 the question pending at the time before we  
10 break.  
11 Your counsel may make objections  
12 today. They are for the record only, and unless  
13 you are specifically instructed not to answer,  
14 you must still answer the question.  
15 Do you understand?  
16 A. Yes.  
17 Q. Did you do anything to prepare for  
18 your deposition today?  
19 A. Read through all of the e-mails, all  
20 the documents provided by both parties.  
21 Q. Did you meet with your counsel?  
22 A. Over the phone.  
23 Q. When?  
24 A. Yesterday.  
25 Q. For how long?

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1 L. Ori  
2 A. Yes, sir.  
3 Q. And you understand if you don't  
4 provide truthful answers to the questions that I  
5 pose, that would be considered perjury?  
6 A. Sure.  
7 Q. And is there any reason you cannot  
8 testify truthfully today?  
9 A. No.  
10 Q. Today we're taking this deposition in  
11 a remote setting, so I have a couple of ground  
12 rules related to this unique forum and some  
13 questions.  
14 Is anyone else in the room with you  
15 where you are today?  
16 A. No. I am by myself.  
17 Q. I would ask if anyone enters the room  
18 at any time that you please let me know.  
19 Are you looking at anything other than  
20 the screen upon which the deposition is being  
21 taken?  
22 A. I have a notepad of which I'm taking  
23 notes on. Other than that, I have no documents  
24 in front of me. I have no documents on my  
25 computer nor in front of me.

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1 L. Ori  
2 A. Hour-and-a-half.  
3 Q. And did you review specific documents  
4 together?  
5 A. No, it was more him -- there was a few  
6 items that we needed to get for you, and the  
7 documents that were discussed were the  
8 documents -- the e-mails or documents that were  
9 discussed were things that we needed to get to  
10 you. So I spent some time making sure to  
11 facilitate that.  
12 Q. Are there any documents in particular  
13 that you're -- that you recall that you  
14 reviewed?  
15 A. All of them.  
16 Q. When you say "all of them," you mean  
17 all of the documents that were produced in this  
18 case or...  
19 A. I reviewed all documents that were  
20 presented by Voyant as well as myself.  
21 Q. And those would be documents that your  
22 counsel provided to us?  
23 A. Correct.  
24 Q. And you understand that you're under  
25 oath today?

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1 L. Ori  
2 Q. Okay. I would call for the production  
3 of any notes that you take during the  
4 deposition.  
5 Unless I instruct you otherwise,  
6 please do not look at anything else while we're  
7 on the record. I ask that you answer all the  
8 questions by yourself. Don't look to anyone for  
9 help in answering the questions, and if you  
10 cannot answer a question by yourself, just let  
11 me know.  
12 I would ask that we agree not -- that  
13 you agree not to communicate with anyone else  
14 besides me while we're on the record.  
15 Do you agree to that?  
16 A. Yes.  
17 Q. That includes checking e-mails, text  
18 messages, and things of that nature.  
19 Do you understand?  
20 A. Yes.  
21 Q. Okay. And you -- you are here today  
22 as Lee Ori, the individual, correct?  
23 A. Correct.  
24 Q. And as a representative of Foxhole  
25 Medical, LLC?

<p style="text-align: right;">Page 14</p> <p>1 L. Ori</p> <p>2 A. Correct.</p> <p>3 Q. And as a representative of Epicure</p> <p>4 Medical, LLC?</p> <p>5 A. Correct.</p> <p>6 Q. And you yourself, can you talk a</p> <p>7 little bit about your schooling after high</p> <p>8 school?</p> <p>9 A. Sure.</p> <p>10 Attended Wallace State Community</p> <p>11 College for two years, transferred to Auburn</p> <p>12 University my junior year.</p> <p>13 Started my tenure at Auburn in</p> <p>14 chemical engineering. Realized it wasn't for</p> <p>15 me. Ultimately, applied to pharmacy school, was</p> <p>16 accepted, and I completed my bachelor's and</p> <p>17 doctorate of pharmacy.</p> <p>18 Q. And where did you do your bachelor's?</p> <p>19 A. All -- all degrees are from Auburn.</p> <p>20 Q. And where is Auburn?</p> <p>21 A. Auburn University in Alabama.</p> <p>22 Q. And how long were you there? Did you</p> <p>23 go straight through?</p> <p>24 A. Yes. Yes. Ultimately, I was at</p> <p>25 Auburn for six years due to the changing of</p>	<p style="text-align: right;">Page 15</p> <p>1 L. Ori</p> <p>2 majors.</p> <p>3 Q. And you received a BA degree or BS</p> <p>4 degree and a pharm -- pharmacy degree?</p> <p>5 A. A Pharm.D., yes, both a bachelor's and</p> <p>6 a doctorate of pharmacy.</p> <p>7 Q. And is it -- it's a BA, a bachelor of</p> <p>8 art, or bachelor of science?</p> <p>9 A. Bachelor's of science.</p> <p>10 Q. Uh-huh. Okay. And then after you</p> <p>11 received your pharmacy license, can you take me</p> <p>12 through your work history?</p> <p>13 A. I started out with Eli Lilly in</p> <p>14 pharmaceutical sales. And from there, I decided</p> <p>15 I was going to open my own pharmacy, and I left</p> <p>16 Eli Lilly and I worked for both Schnucks</p> <p>17 Supermarket Pharmacy in St. Louis, Missouri as</p> <p>18 well as Express Scripts for I'm going to say a</p> <p>19 year. I mean, ultimately, I stayed there about</p> <p>20 a year-and-a-half with Schnucks anyway.</p> <p>21 Opened -- so I left Lilly in January</p> <p>22 of 2002, and I opened my pharmacy January of</p> <p>23 '03. So about a year later.</p> <p>24 So I worked -- worked there -- worked</p> <p>25 for Schnucks and Express Scripts during that</p>
<p style="text-align: right;">Page 16</p> <p>1 L. Ori</p> <p>2 year, and then I stayed with Schnucks through</p> <p>3 around June/July of 2003. Since then, I've --</p> <p>4 I've owned and operated my -- my own pharmacies.</p> <p>5 Q. And after you left Schnuck, you</p> <p>6 started your own pharmacy?</p> <p>7 A. Well, I started the pharmacy in</p> <p>8 January of '03. I stayed on Schnucks part-time</p> <p>9 through the summer.</p> <p>10 Q. I see.</p> <p>11 A. Of '03. Through June or July of '03.</p> <p>12 Q. And what was the name of the pharmacy</p> <p>13 you opened?</p> <p>14 A. Specialty Pharmacy of St. Louis.</p> <p>15 Q. And how many locations did it have?</p> <p>16 A. Specialty Pharmacy was only the one.</p> <p>17 Q. And did you open other pharmacies?</p> <p>18 A. Yes, sir.</p> <p>19 Q. What were their names?</p> <p>20 A. The -- I had -- shoot, I'm blanking on</p> <p>21 the name.</p> <p>22 I wound up opening two -- two</p> <p>23 pharmacies in St. Louis, and I had pharmacies in</p> <p>24 Scottsdale, Arizona and Las Vegas, Nevada at one</p> <p>25 point, all part of the same -- same structure.</p>	<p style="text-align: right;">Page 17</p> <p>1 L. Ori</p> <p>2 I am honestly blanking on the name of the</p> <p>3 pharmacy without looking at my notes. They --</p> <p>4 they were closed-door pharmacies, and I'm</p> <p>5 blanking on the name.</p> <p>6 Q. And how many -- I guess after you</p> <p>7 started Specialty, how many locations --</p> <p>8 pharmacy locations, did you own?</p> <p>9 A. At one point, I owned three in</p> <p>10 St. Louis plus Arizona, plus Nevada, so five at</p> <p>11 one point.</p> <p>12 Q. So three in St. Louis, one in Arizona,</p> <p>13 one in Nevada. Five total?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And were they all operating at the</p> <p>16 same time?</p> <p>17 A. Yes, sir.</p> <p>18 Q. And what happened to them?</p> <p>19 A. The client that we were servicing</p> <p>20 abruptly went bankrupt and went out of business,</p> <p>21 and they were the -- it was the only client for</p> <p>22 the -- for the four pharmacies that weren't</p> <p>23 specialty, and so when the pharmacy went --</p> <p>24 excuse me, the client went away, the need for</p> <p>25 the pharmacies did also.</p>

<p style="text-align: right;">Page 50</p> <p>1 L. Ori</p> <p>2 tremendous resource for sterile, and so she</p> <p>3 did -- so injectables. So I would lean on her</p> <p>4 for help as it -- as I might need it for</p> <p>5 sterile, if I had questions. And that's how we</p> <p>6 developed our relationship.</p> <p>7 Q. And when was Foxhole formed?</p> <p>8 A. Early 2018. I believe it was March.</p> <p>9 Q. And I -- and I believe you said -- let</p> <p>10 me just ask you: Who formed it?</p> <p>11 A. It was formed in Missouri. I believe</p> <p>12 Fibbens did.</p> <p>13 Q. And by that you mean he filed the</p> <p>14 necessary paperwork to set up the LLC?</p> <p>15 A. Correct.</p> <p>16 Q. And who were its members?</p> <p>17 A. Oh, so Sarah and myself. Sorry. I</p> <p>18 misunderstood the question.</p> <p>19 Q. That's okay. That's a relevant point</p> <p>20 too. So we got that out there.</p> <p>21 And are you involved -- I think the</p> <p>22 answer to this is yes, but let me just ask you</p> <p>23 to go through it. What other business ventures</p> <p>24 were you involved in with Ms. Simmers?</p> <p>25 A. Other than Epicure, that's nothing</p>	<p style="text-align: right;">Page 51</p> <p>1 L. Ori</p> <p>2 that hasn't been named. We -- we have PFL,</p> <p>3 which was going to be a holding company. It's</p> <p>4 of no -- it does no business, and -- and so we</p> <p>5 have that together.</p> <p>6 Obviously, she -- other than what I've</p> <p>7 talked about, the other entities that we</p> <p>8 discussed previously. Off the top of my head, I</p> <p>9 don't believe we have anything else.</p> <p>10 Q. And in terms of the PFL entity, is</p> <p>11 that an LLC?</p> <p>12 A. Yes, sir.</p> <p>13 Q. And who are its members?</p> <p>14 A. Just the two of us.</p> <p>15 Q. And --</p> <p>16 A. Sarah and --</p> <p>17 Q. Sorry. Go ahead.</p> <p>18 A. Sarah and Lee.</p> <p>19 Q. And who are its managers?</p> <p>20 A. Both of us.</p> <p>21 Q. And what is the ownership percentage</p> <p>22 of the membership?</p> <p>23 A. 50/50.</p> <p>24 Q. Okay. And who are the managers of</p> <p>25 Foxhole Medical, LLC?</p>
<p style="text-align: right;">Page 52</p> <p>1 L. Ori</p> <p>2 A. Sarah and myself.</p> <p>3 Q. And how did Foxhole generate its</p> <p>4 revenue?</p> <p>5 A. Consulting. Well -- well, originally</p> <p>6 we started as consulting. We -- we moved into</p> <p>7 CBD. We -- we started -- got an opportunity</p> <p>8 to -- to do -- you know, again, as part of what</p> <p>9 we do, being pharmacists, we got the opportunity</p> <p>10 to -- we tried to do some warehouse and</p> <p>11 distribution of CBD products, and we did some,</p> <p>12 what I refer to as white label manufacturing.</p> <p>13 We're not the manufacturer, but we had</p> <p>14 manufacturer relationships.</p> <p>15 So if we had clients that were looking</p> <p>16 for products, specifically white label</p> <p>17 manufactured, we would facilitate those products</p> <p>18 to the client and obviously make money in the</p> <p>19 process.</p> <p>20 So that -- that -- so the -- the --</p> <p>21 the entity generated revenue through one of</p> <p>22 those ways, either consulting through warehouse</p> <p>23 and distribution or through white label</p> <p>24 manufacturing.</p> <p>25 Q. In other words, just to be clear, you</p>	<p style="text-align: right;">Page 53</p> <p>1 L. Ori</p> <p>2 either earned money consulting or selling</p> <p>3 products that were white labeled?</p> <p>4 A. Correct, or the warehouse and</p> <p>5 distribution of -- of those products.</p> <p>6 Q. I see.</p> <p>7 Charging some other entity or person a</p> <p>8 fee to hold those products or facilitate</p> <p>9 their -- their selling of the products?</p> <p>10 A. Correct. An entity that owns a --</p> <p>11 that has a website, typically.</p> <p>12 Q. Uh-huh. And was that a particular</p> <p>13 entity or could -- could be any number of</p> <p>14 entities?</p> <p>15 A. Any number.</p> <p>16 Q. And in terms of dollars, what was</p> <p>17 the -- what was the biggest revenue-driver?</p> <p>18 A. The -- the white label. Well, the</p> <p>19 consulting, you know, consulting for -- for a</p> <p>20 little bit did well, and, you know, consulting</p> <p>21 is -- is cyclical. You know, it just -- it</p> <p>22 comes and goes. Depends on, you know,</p> <p>23 customers' needs and -- needs and the amount of</p> <p>24 money that they have to pay for them.</p> <p>25 And then the white label manufacturing</p>

<p style="text-align: right;">Page 70</p> <p>1 L. Ori</p> <p>2 Athena Accounting is only a</p> <p>3 bookkeeper. So it is possible that they</p> <p>4 overlapped -- that she overlapped with E3. E --</p> <p>5 E3 did not replace her, as they provide</p> <p>6 different services.</p> <p>7 Q. Okay. Did you have a service that was</p> <p>8 providing bookkeeping services to Foxhole prior</p> <p>9 to Athena Accounting?</p> <p>10 A. Not that I am aware of. Not that I</p> <p>11 recall. So -- so that's why I want to say she's</p> <p>12 been with us since roughly inception, but I -- I</p> <p>13 can't -- I can't comment.</p> <p>14 As I indicated, the -- the entity</p> <p>15 started as a consulting company and a contract</p> <p>16 company, to hold contracts. As such, the need</p> <p>17 for bookkeeping would have been minimal to -- to</p> <p>18 zilch. So I -- that's the best I can tell you</p> <p>19 without having it in front of me.</p> <p>20 Q. And when you say -- just to clarify, I</p> <p>21 believe you said you believed she was providing</p> <p>22 services since "inception," that -- and you were</p> <p>23 referring -- are you referring to Athena</p> <p>24 Accounting when you said that?</p> <p>25 A. Correct. Yeah, I believe, but I -- I</p>	<p style="text-align: right;">Page 71</p> <p>1 L. Ori</p> <p>2 only can go on record as it's 2020 on. I don't</p> <p>3 know that she provided services in '18 or '19.</p> <p>4 Q. I see.</p> <p>5 She may have, but you're only</p> <p>6 specifically aware of her providing services</p> <p>7 from 2020 on, as you sit here today?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Okay. I'll going to ask you some</p> <p>10 questions about Epicure now.</p> <p>11 A. Okay.</p> <p>12 Q. What is Epicure Medical, LLC, which</p> <p>13 I'll refer to as "Epicure"?</p> <p>14 A. I would define it as -- are you asking</p> <p>15 how I would define the company as far as its</p> <p>16 services?</p> <p>17 Q. I'm just asking you in your own words,</p> <p>18 what is it?</p> <p>19 A. Well, a -- a -- it provided hand</p> <p>20 sanitizer and personal protection -- protective</p> <p>21 equipment, PPE, products.</p> <p>22 Q. And when was it formed?</p> <p>23 A. March of 2020.</p> <p>24 Q. And why was it formed?</p> <p>25 A. For that specific purpose that I just</p>
<p style="text-align: right;">Page 72</p> <p>1 L. Ori</p> <p>2 defined.</p> <p>3 Q. Uh-huh. And that purpose being to</p> <p>4 sell hand sanitizer and PPE equipment?</p> <p>5 A. PPE -- yeah, Products and Equipment.</p> <p>6 I don't know that you would define a</p> <p>7 hairnet as equipment or a face mask, but PPE</p> <p>8 products, yes.</p> <p>9 Q. Understood.</p> <p>10 To sell hand sanitizer and PPE,</p> <p>11 products and equipment, or just products?</p> <p>12 A. I would say just products.</p> <p>13 Q. Okay.</p> <p>14 A. Yeah, we -- we really didn't do any</p> <p>15 equipment.</p> <p>16 Q. Got it.</p> <p>17 A. And you know, the sale of hand</p> <p>18 sanitizer would -- would be, you know,</p> <p>19 ultimately the -- the contract -- contract</p> <p>20 manufacturing, you know, of it and -- and sale</p> <p>21 of it.</p> <p>22 We -- you know, so, I mean, we</p> <p>23 didn't -- didn't just sell it, obviously, or we</p> <p>24 wouldn't be here. But, yes.</p> <p>25 Q. And who formed Epicure?</p>	<p style="text-align: right;">Page 73</p> <p>1 L. Ori</p> <p>2 A. The three -- three of us.</p> <p>3 Q. And who are its members?</p> <p>4 A. Myself, Dan Reilly and Sarah Simmers.</p> <p>5 Q. And who are its managers?</p> <p>6 A. The -- the same -- well, I -- I don't</p> <p>7 have the operating agreement in front of me, but</p> <p>8 as I understand or recall, it's the three of us.</p> <p>9 Q. Okay. How did Epicure generate</p> <p>10 revenue?</p> <p>11 A. Through the sale of those products.</p> <p>12 Q. Hand sanitizer and PPE products?</p> <p>13 A. Correct.</p> <p>14 Q. And how -- and how was the company</p> <p>15 first capitalized?</p> <p>16 A. Through sales. Through sales and --</p> <p>17 and marketing, sales and marketing.</p> <p>18 Q. And did you or any of the other two</p> <p>19 founding members contribute any of your own</p> <p>20 capital to form the entity?</p> <p>21 A. Can you please be more specific?</p> <p>22 Q. Sure.</p> <p>23 In March 2020, when the entity was</p> <p>24 formed, did any of the three members contribute</p> <p>25 their own personal capital to start the</p>



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1 L. Ori  
2 business?  
3 A. And I'm not trying to be a pain, but  
4 "start the business." Are you referring to  
5 business operations in general, or are you  
6 referring to the structuring?  
7 Q. Business operations in general.  
8 A. All three of us put -- contributed our  
9 own time and money and effort in various ways.  
10 You know, anything from meetings to lunches to  
11 buying office supplies or what-have-you, to  
12 start the company, yes.  
13 So, yeah, I mean for trips, travel,  
14 did we pay for those things ourselves? Yes.  
15 Q. And do you have a recollection of  
16 making any type of capital contribution at the  
17 time the company was formed, personally?  
18 A. I do not.  
19 Q. Did Epicure have any employees?  
20 A. No.  
21 Q. Did Epicure have any independent  
22 contractors?  
23 A. Yes.  
24 Q. And roughly speaking, as you sit here  
25 today, what independent contractor relationships

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1 L. Ori  
2 our branding, marketing materials. She -- she  
3 also was a relationship of Dan that he had  
4 worked with in the past.  
5 We ultimately transitioned that role  
6 that Sarah Fedorko was filling in bookkeeping to  
7 Athena Accounting Solutions. It's -- it -- a  
8 month in or so, that -- that role was  
9 transitioned.  
10 We had sales -- sales reps, all of  
11 which were contract. There was ultimately six  
12 or eight of them, probably sales reps.  
13 Obviously we had legal and accounting  
14 services. You know, ultimately we contracted  
15 with an accountant for the filling of the --  
16 filing, excuse me, of the returns.  
17 Those are all the 1099's that I can  
18 think of off the top of my head. There -- there  
19 may be a few others that I'm missing, but those  
20 are -- are the main ones.  
21 Q. And the accountants who prepared the  
22 tax returns, who were they for Epicure?  
23 A. That was also Louanne.  
24 Q. Louanne and I know you made an attempt  
25 to say her last name before. Would you mind

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1 L. Ori  
2 do you recall?  
3 A. At formation, from -- from formation  
4 forward, you know, I'll start by saying, you  
5 know, we, from an independent contractor  
6 perspective, we had somebody that was brought  
7 in-house at some points. Her name was Sarah  
8 Fedorko. Sarah was our -- I would call her  
9 administrative assistant. She entered --  
10 entered orders. She attempted to do  
11 bookkeeping. Sarah was -- I would call her -- I  
12 would term her as an admin, kind of as-needed.  
13 You know, the nature -- nature of the  
14 business at that time was -- was the world  
15 was -- especially the medical world was just  
16 so -- so ebb and flow. It was so up and down.  
17 It was so fast. You know, so -- so we only  
18 needed her, you know, temporarily, very  
19 part-time. So Sarah was a -- a 1099. Her  
20 husband, Don Fedorko, did some design work for  
21 us at different points. He's an architect and  
22 designer. Both of those are relationships of  
23 Dan Reilly.  
24 We worked with Trish Hanke of ISH,  
25 I-S-H, Marketing. Trish developed our website,

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1 L. Ori  
2 doing that again?  
3 A. C-A-G-N-O-N, Cagnon.  
4 Q. Okay. I'm going to introduce an  
5 exhibit. This will be -- I think I'm up to 7.  
6 (Ori Exhibit 7, Document titled,  
7 "Epicure Medical, LLC, Organization Chart,"  
8 Bates-stamped DEF3683, marked for  
9 identification, as of this date.)  
10 BY MR. GUNNELL:  
11 Q. Share the screen. Here we go.  
12 Do you see what I have put up on the  
13 screen? It's marked "Epicure Medical, LLC,  
14 Organization Chart," and it's Bates-stamped  
15 DEF3683.  
16 A. Yes.  
17 Q. Does this document look familiar to  
18 you?  
19 A. It does.  
20 Q. And what is it?  
21 A. It was an organizational chart that  
22 Dan Reilly put together for -- for either a  
23 vendor or client at -- at some point, later --  
24 later in -- I would say late in 2020, late 2020,  
25 early '21 maybe, so yes.

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1 L. Ori

2 Q. Okay.

3 A. Yeah, they -- they approved all

4 labeling and had -- had guidance and/or

5 approved, you know, told us what we could and

6 couldn't do.

7 As far as the back of the label,

8 the -- the ingredients and all that, that was

9 all them.

10 We were just really the logo, the --

11 you know, the logo and branding and the, you

12 know, the back -- back of the label was really

13 all Voyant.

14 Q. Got it.

15 Does Epicure have any -- have any

16 assets? I know you -- you just indicated they

17 have no inventory, but do they have any assets?

18 A. No.

19 Q. Do they have any liabilities?

20 MR. KORANTENG: Objection. Hold on

21 one second. So I'm just -- I'm going to

22 object to the form. It's vague as to -- I

23 mean, I don't know what time you're talking

24 about.

25

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1 L. Ori

2 Q. Do you -- are you familiar with this

3 document?

4 A. Yes, sir.

5 Q. And what is it?

6 A. The Epicure Medical, LLC Operating

7 Agreement.

8 Q. And it says it's effective as of March

9 26, 2020?

10 A. Yes.

11 Q. Is that when the company was formed?

12 A. Yes.

13 Q. And I'm going to direct your attention

14 to page 38, I believe -- 37. And it shows here

15 managers are listed as Lee Ori, Sarah Simmons --

16 Simmers, and Dan Reilly, right?

17 A. Correct.

18 Q. And is that your signature that

19 appears next to your name under "Manager"?

20 A. Yes.

21 Q. And then for members, the members are

22 listed as PFL Investments, LLC. And is that

23 your signature that appears next to that entity?

24 A. Yes.

25 Q. And then Clover Leaf Strategies, LLC.

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1 L. Ori

2 BY MR. GUNNELL

3 Q. Today, other than to Voyant, does

4 Epicure have any outstanding liabilities?

5 A. Does -- does legal defense count?

6 (Laughter.)

7 Q. Other than --

8 A. I mean, yes.

9 No, no outstanding liabilities that

10 come to mind outside of -- outside of Voyant.

11 Q. Okay. I'm going to show you an

12 exhibit. Let's see, this is -- this will be,

13 what? 8?

14 (Ori Exhibit 8, Document titled

15 "Epicure Medical, LLC, Limited Liability

16 Company Operating Agreement," Bates-stamped

17 DEF3505 to DEF3545, marked for

18 identification, as of this date.)

19 BY MR. GUNNELL:

20 Q. This is a document produced by your

21 counsel Bates-stamped DEF3505 to DEF3545: It's

22 titled "Epicure Medical, LLC, Limited Liability

23 Company Operating Agreement."

24 Do you see that?

25 A. Yes, sir.

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1 L. Ori

2 Whose signature is next to that?

3 A. That's Dan Reilly.

4 Q. And do you have an understanding of

5 who owns Clover Leaf Strategies?

6 A. I do not.

7 Q. Do you have -- do you know why Lisa

8 Reilly is listed under Clover Leaf Strategies

9 here?

10 A. I do not.

11 Q. And it appears that it's Dan Reilly's

12 signature in the -- in the signature line,

13 correct?

14 A. Correct.

15 Q. Do you -- and if you don't know, you

16 know, just tell me you don't know, but do you

17 think that might be a typo that Lisa's listed

18 here, or -- or -- and Dan signed?

19 A. I don't know. I don't know the -- the

20 operating agreement or -- or structure of Clover

21 Leaf.

22 Q. Okay. Do you have any knowledge

23 sitting here today that Lisa Reilly has an

24 ownership stake in Clover Leaf?

25 A. I do not. As his spouse, she --

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1 L. Ori  
2 she -- that is -- Lisa Reilly is his wife.  
3 She -- she certainly could.  
4 Q. Okay. And PFL Investments, LLC up  
5 here, this is the entity we talked about  
6 previously that you explained was owned 50  
7 percent by you and 50 percent by Ms. Simmers; is  
8 that correct?  
9 A. Yes, sir.  
10 Q. And it says under here in Schedule A  
11 that PFL Investments membership interest is  
12 66.66 percent?  
13 A. Yes, sir.  
14 Q. And Clover Leaf is 33.34 percent?  
15 A. Yes, sir.  
16 Q. How were those proportions arrived at?  
17 A. Three -- three-way split, third, a  
18 third, a third.  
19 Q. I see.  
20 A. Since Sarah and I own 50/50 of PFL,  
21 it's essentially a three-way split of the  
22 company.  
23 Q. Uh-huh. And it lists here a capital  
24 contribution of \$666.66 next to PFL Investments,  
25 LLC?

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1 L. Ori  
2 A. Yes, sir.  
3 Q. Do you know what this document is?  
4 A. Formation of Epicure Medical, LLC  
5 business checking account.  
6 Q. And it lists here as the initial  
7 deposit \$72,500.  
8 Do you see that?  
9 A. Yes, sir.  
10 Q. Where was that from?  
11 A. It was from sales. It was from a  
12 customer.  
13 Q. And what was the customer -- what did  
14 the customer purchase?  
15 A. I -- I am not a hundred percent, but I  
16 do believe it was sanitizer, without looking  
17 back at the QuickBooks of the transactions, I  
18 couldn't tell you unequivocally.  
19 Q. And did you discuss with either  
20 Ms. Simmers or Mr. Reilly the amount of capital  
21 that would be required to operate Epicure at or  
22 around the time it was formed?  
23 A. We -- we talked every day, so yes, I'm  
24 quite certain we talked about finances.  
25 Q. A little more specific: Do you

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1 L. Ori  
2 A. Yes.  
3 Q. You see that? Do you know if a  
4 deposit of that amount was made by PFL  
5 Investments around the time of this agreement  
6 into an account held by Epicure?  
7 A. I do not know if that exact dollar  
8 figure was, as you said, written -- a check  
9 written, so to speak, or deposited into an  
10 Epicure account.  
11 Q. How about for -- how about a  
12 checking -- or a deposit in the amounts of  
13 \$333.34 by Clover Leaf Strategies?  
14 A. I do not recall.  
15 Q. I'm going -- I'll show you another  
16 document. This one is going to be 9.  
17 (Ori Exhibit 9, Document titled,  
18 "Account Agreement," Bates-stamped DEF0030,  
19 marked for identification, as of this date.)  
20 BY MR. GUNNELL:  
21 Q. This document is Bates-stamped  
22 DEF0030, and it states at the top "Account  
23 Agreement," and then under "Account Owner," it  
24 states "Epicure Medical, LLC."  
25 Do you see that?

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1 L. Ori  
2 have -- do you have a specific recollection of  
3 discussing the capitalization of the company at  
4 or around the time that it was formed with  
5 either Ms. Simmers or Mr. Reilly?  
6 A. In capitalizing the company is a very  
7 broad -- broad -- broad word. You know, it  
8 depends on -- because the capital certainly  
9 depends on what's being done and how it's being  
10 done. So, again, we discussed financing,  
11 funding needs, strategies, all of the above.  
12 Q. And do you recall anything more  
13 specific about those conversations, about --  
14 around the time that the entity was formed?  
15 A. Your -- your question is very vague,  
16 so I'm going to say no.  
17 Q. Okay. I -- I think capital -- when I  
18 use the term "capitalize," I mean the amount of  
19 money necessary to run the business.  
20 Does that make sense?  
21 A. It -- it -- again, the amount of money  
22 needed to run -- run that business is -- is  
23 the -- the -- no, we did not have -- we -- the  
24 goal of the -- the business was, as you can see  
25 from a \$72,000 deposit, was to -- to -- we

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1 L. Ori  
2 that you're aware of?  
3 A. No.  
4 Q. Do you -- did you establish capital  
5 accounts for the members?  
6 A. That would be an accounting question.  
7 I believe so.  
8 Q. Who should we direct accounting  
9 questions to?  
10 A. That would either be Linda -- Linda  
11 Ragsdale at Athena Accounting, or Louanne  
12 Cagnon, the CPA.  
13 Q. Okay. Do you have any personal  
14 knowledge of a capital account being formed for  
15 yourself with Epicure as you sit here today?  
16 A. I do believe there was one, yes. But  
17 I will tell you it's also been -- it's -- it's  
18 established that we -- that Louanne has realized  
19 that she made a mistake and that she miscoded --  
20 miscoded those dollars that she had in that  
21 capital account and that should not have been  
22 there.  
23 Q. Can you be more specific about what  
24 you're referring to?  
25 A. The \$25,125 that was a due to, that's

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1 L. Ori  
2 dollar value the very next day.  
3 So, other than the receipt of -- of  
4 some revenue, of which was adjudicated,  
5 rectified, balanced out, there -- there has been  
6 no business with -- with another entity.  
7 Q. And how much was that transaction for,  
8 if you recall?  
9 A. It was for \$125,000. And that also  
10 was miscoded on the Epicure financials, as well  
11 as the Foxhole financials.  
12 Q. How is it miscoded?  
13 A. Linda failed to recognize that the  
14 money was paid back out, and so thus it was  
15 due -- it was put in as a due to Epicure and a  
16 due from Foxhole. The money was paid back out  
17 the next day, and Linda missed it.  
18 Q. And those payments would be reflected  
19 in wire transfers or bank account records?  
20 A. They would be in -- reflected in the  
21 Foxhole -- Foxhole bank account records of which  
22 you should have from March of 2020.  
23 Q. So in March of 2020, Foxhole received  
24 \$125,000 prior to Epicure having a bank account,  
25 which Foxhole held and then remitted to Epicure,

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1 L. Ori  
2 what I was referring to, that was a due to Lee  
3 Ori that was on the Epicure financials. That is  
4 a mistake. That is -- that is an error and she  
5 is in the process of correcting it.  
6 Q. And do you know how that error came  
7 about?  
8 A. She miscoded something, and she is --  
9 she will correct it. There's -- there's no  
10 money owed to me.  
11 Q. And is -- is that 125 owed to someone  
12 or some other entity or person?  
13 A. It was \$25,125. It wasn't \$125.  
14 Q. Oh, okay.  
15 A. And that was the -- it -- it is not  
16 owed to anybody else. It was a miscoding on  
17 their part. The value was miscoded in the wrong  
18 account.  
19 Q. Okay. Understood.  
20 Has any company that you personally  
21 have an interest in done business with Epicure?  
22 A. No, but I will say that Foxhole  
23 Medical did receive, prior to the Epicure bank  
24 account being set up, did receive a deposit on  
25 Epicure's behalf and immediately paid out that

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1 L. Ori  
2 is that your testimony?  
3 A. The -- the payment was made to -- from  
4 Foxhole to the vendor, directly to the vendor on  
5 Epicure's behalf. So it was not remitted  
6 directly to Epicure, but it was remitted to  
7 Epicure's vendor.  
8 Q. What was the vendor?  
9 A. I -- I would -- I can't tell -- it's a  
10 Spanish company. It's got a Spanish name. If I  
11 even attempted, I would -- I would butcher the  
12 heck out of it. It's -- it's listed on the --  
13 it's actually in the -- in the Foxhole bank  
14 statement.  
15 Q. From March -- from March 2020?  
16 A. Yes, sir.  
17 Q. Okay.  
18 A. It was wired directly to the vendor.  
19 You'll see \$125,000 in on -- I believe it was  
20 the 30th, and then it went right back out, the  
21 same dollar went -- went to the vendor, which  
22 was a Spanish name, on the next day.  
23 Q. And -- okay. And has, to your  
24 knowledge, Epicure ever done business with any  
25 entity that Sarah Simmers has a direct or

<p style="text-align: right;">Page 146</p> <p>1 L. Ori</p> <p>2 Greg See has multiple companies.</p> <p>3 Global Medical Source was a company that he had</p> <p>4 that was specifically for PPE and sanitizer.</p> <p>5 Q. And did you have an understanding of</p> <p>6 why you were supplying this agreement?</p> <p>7 A. Per Michelle's direction of new credit</p> <p>8 application for new customers.</p> <p>9 Q. Uh-huh. Okay. And is that your</p> <p>10 signature on the bottom here?</p> <p>11 A. Yes, sir.</p> <p>12 Q. And did you understand by signing this</p> <p>13 you were agreeing to its terms?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And if you look here, it says -- let's</p> <p>16 see. "The undersigned by this credit</p> <p>17 application agreement does continually</p> <p>18 personally guarantee payment for all goods and</p> <p>19 merchandise purchased by the applicant."</p> <p>20 Do you see that?</p> <p>21 A. I do.</p> <p>22 Q. And you understood when you signed</p> <p>23 this that you were personally guaranteeing</p> <p>24 payment for all goods and merchandise purchased</p> <p>25 by Epicure?</p>	<p style="text-align: right;">Page 147</p> <p>1 L. Ori</p> <p>2 A. I did not.</p> <p>3 Q. But that is your signature on the</p> <p>4 bottom?</p> <p>5 A. It is.</p> <p>6 Q. And what became of this? You sent to</p> <p>7 it Ms. Jimenez?</p> <p>8 A. Yes, sir.</p> <p>9 Q. And -- and did you receive a reply</p> <p>10 from her?</p> <p>11 A. Don't recall.</p> <p>12 Q. Okay. And this is dated April 12,</p> <p>13 2020, this e-mail, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Who's Courtney Reihs, R-E-I-H-S?</p> <p>16 A. I do not know Courtney.</p> <p>17 Q. Okay. Never had any dealings with</p> <p>18 her?</p> <p>19 A. Other than a -- I'm going to say no.</p> <p>20 I don't even recognize the name.</p> <p>21 Q. Got it.</p> <p>22 And now just a question: You -- by</p> <p>23 this time, Epicure has been formed, correct,</p> <p>24 April 12, 2020?</p> <p>25 A. That is correct.</p>
<p style="text-align: right;">Page 148</p> <p>1 L. Ori</p> <p>2 Q. And did you have an Epicure e-mail</p> <p>3 address?</p> <p>4 A. I don't know if we had it at that</p> <p>5 point.</p> <p>6 Q. Looks like you did just looking at the</p> <p>7 top. It says Lee@epicuremed.com?</p> <p>8 A. You are correct.</p> <p>9 Q. But then it looks like your signature</p> <p>10 block and -- and the icon that goes with it is</p> <p>11 associated with Foxhole Med?</p> <p>12 A. That was obviously not my -- my</p> <p>13 Epicure medical signature block that -- that was</p> <p>14 traditional. So I -- you know, without having</p> <p>15 an idea of -- you know, this was forwarded --</p> <p>16 well, I -- I don't even know. So I don't know</p> <p>17 how that's on there. It's obviously not my</p> <p>18 Epicure one.</p> <p>19 Q. Right.</p> <p>20 A. So --</p> <p>21 Q. Were you still using your Foxhole Med</p> <p>22 signature block and -- and contact information</p> <p>23 in connection with hand sanitizer sales at this</p> <p>24 point?</p> <p>25 A. I was not.</p>	<p style="text-align: right;">Page 149</p> <p>1 L. Ori</p> <p>2 Q. Okay. I'm going to introduce now</p> <p>3 Exhibit --</p> <p>4 MR. GUNNELL: What am I up to? 13?</p> <p>5 Or was that 13? Give me one second.</p> <p>6 COURT REPORTER: That was 13.</p> <p>7 MR. GUNNELL: Okay, thank you.</p> <p>8 I will now introduce Exhibit 14.</p> <p>9 (Ori Exhibit 14, Epicure Medical, LLC</p> <p>10 Purchase Orders, consisting of eight pages,</p> <p>11 Bates-stamped DEF4741 to DEF4748, marked for</p> <p>12 identification, as of this date.)</p> <p>13 BY MR. GUNNELL:</p> <p>14 Q. And that will be a collection of</p> <p>15 purchase orders. Just let me get those.</p> <p>16 That's not what I want. Apologies.</p> <p>17 Just bear with me for one moment while</p> <p>18 I get the exhibit that I want.</p> <p>19 There we go. Okay. I have introduced</p> <p>20 as Exhibit 14 a collection of documents provided</p> <p>21 by your counsel. It's eight pages. It starts</p> <p>22 at DEF4741 and goes to -- I can't read the Bates</p> <p>23 on the last one. DEF --</p> <p>24 MR. GUNNELL: Am I still here? I just</p> <p>25 got an error that Zoom quit unexpectedly.</p>

<p style="text-align: right;">Page 150</p> <p>1 L. Ori</p> <p>2 MR. KORANTENG: You're still here.</p> <p>3 MR. GUNNELL: Okay. Very strange.</p> <p>4 Maybe it's just the screen sharing that's</p> <p>5 buggy.</p> <p>6 Okay, well, I don't see -- oh, there</p> <p>7 it is. Sorry. It goes to DEF4748. Okay.</p> <p>8 And these are Epicure Medical, LLC</p> <p>9 purchase orders.</p> <p>10 BY MR. GUNNELL:</p> <p>11 Q. Mr. Ori, can you take a minute to look</p> <p>12 at these?</p> <p>13 I can scroll through them just so you</p> <p>14 can look at the screen.</p> <p>15 Okay. Do you have an understanding of</p> <p>16 what these are?</p> <p>17 A. Yes, sir.</p> <p>18 Q. What are they?</p> <p>19 A. Purchase orders.</p> <p>20 Q. Purchase orders for what?</p> <p>21 A. For hand sanitizer of various</p> <p>22 quantities and sizes.</p> <p>23 Q. Issued by?</p> <p>24 A. Epicure.</p> <p>25 Q. Okay. It looks like there were --</p>	<p style="text-align: right;">Page 151</p> <p>1 L. Ori</p> <p>2 let's see -- this one's dated April 13 for 600</p> <p>3 2-ounce hand sanitizers, right?</p> <p>4 This one is dated April 13, another</p> <p>5 600 2-ounce.</p> <p>6 This one's April 13, 120,000 12-ounce.</p> <p>7 April 16, a couple days later, 600 at</p> <p>8 2 ounces.</p> <p>9 And then on April 16, a final 600 at 2</p> <p>10 ounces, and then the next one goes into June.</p> <p>11 Is that right?</p> <p>12 A. The next one goes into June?</p> <p>13 Q. The next purchase order is dated June.</p> <p>14 I just want to talk about the April</p> <p>15 ones for a minute.</p> <p>16 A. Okay.</p> <p>17 Q. It looks like there were five purchase</p> <p>18 orders issued in April by Epicure to Voyant, is</p> <p>19 that consistent with your recollection?</p> <p>20 A. I don't recall the -- the second round</p> <p>21 of 2-ounce sanitizers at the dollar-2, but -- in</p> <p>22 April anyway, so -- but...</p> <p>23 Q. You don't recall that ordering a total</p> <p>24 of 2.4 million units in April of the 2-ounce</p> <p>25 bottles?</p>
<p style="text-align: right;">Page 152</p> <p>1 L. Ori</p> <p>2 A. I -- yeah, I mean, I know we ordered</p> <p>3 them. I didn't -- I didn't know it was in</p> <p>4 April, so I didn't --</p> <p>5 Q. Okay.</p> <p>6 A. I didn't know it was that close to the</p> <p>7 other -- the other order.</p> <p>8 Q. Got it.</p> <p>9 But you don't dispute that you ordered</p> <p>10 2.4 million units in April?</p> <p>11 MR. KORANTENG: Objection.</p> <p>12 When you say "you," again, the witness</p> <p>13 is testifying in three different capacities,</p> <p>14 so I just want to make sure we're talking</p> <p>15 about --</p> <p>16 MR. GUNNELL: Sure.</p> <p>17 BY MR. GUNNELL</p> <p>18 Q. At the Epicure, you don't dispute that</p> <p>19 Epicure purchased 2.4 million units of hand</p> <p>20 sanitizer in April?</p> <p>21 A. I don't dispute that Epicure submitted</p> <p>22 purchase orders for 2.4 million units.</p> <p>23 Q. Uh-huh. And do you -- is there a</p> <p>24 distinction in your mind between submitting a</p> <p>25 purchase order and -- and purchasing?</p>	<p style="text-align: right;">Page 153</p> <p>1 L. Ori</p> <p>2 A. Well, in my mind, purchasing would</p> <p>3 have been taken full possession of -- of it is</p> <p>4 how I would interpret it.</p> <p>5 Q. As opposed to what?</p> <p>6 A. Ordering its production, I guess, I</p> <p>7 would say.</p> <p>8 Q. I am sorry. Go ahead. Ordering its</p> <p>9 production and?</p> <p>10 A. I would say. That is what I was, you</p> <p>11 know --</p> <p>12 Q. But -- but -- but the hand sanitizer</p> <p>13 that was produced by Voyant was warehoused,</p> <p>14 right?</p> <p>15 A. It was.</p> <p>16 Q. And you ultimately had custody of</p> <p>17 those once they were delivered to the warehouse?</p> <p>18 A. That's -- that's what I've been told,</p> <p>19 yeah, yeah.</p> <p>20 Q. And you sold hand sanitizer from the</p> <p>21 warehouse, right?</p> <p>22 A. As I recall, yes. But everything was</p> <p>23 through Voyant. I mean, as far as I was</p> <p>24 concerned, the warehouse was a generic extension</p> <p>25 of them.</p>

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1 L. Ori

2 Q. And when you made a sale to a

3 customer, how would you go about getting the

4 customer their hand sanitizer?

5 MR. KORANTENG: Again, let me briefly

6 interject here.

7 Unless specifically stated by you,

8 Justin, I'm going to assume that this line

9 of questioning is relating to Epicure so I

10 don't keep interrupting you.

11 MR. GUNNELL: Correct.

12 MR. KORANTENG: Okay.

13 THE WITNESS: Can you repeat that,

14 please, sir?

15 MR. GUNNELL: Can you -- can the court

16 reporter read it back, please?

17 (Record read.)

18 THE WITNESS: When Epicure made a

19 sale, we worked with Voyant directly to

20 facilitate the -- the delivery of the

21 product.

22 BY MR. GUNNELL:

23 Q. How did you do that?

24 A. Typically, we worked with them through

25 e-mail.

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1 L. Ori

2 possibly get.

3 Q. Uh-huh. And it seems like three days

4 later those -- those orders were on the 13th for

5 the first 1.2 million and the 120 of the

6 12-ounce and then three days later, there are

7 two purchase orders for another 1.2 million.

8 Do you recall how that came about?

9 A. I don't off the top of my head. I --

10 I believe that -- that Voyant had opportunity to

11 acquire more bottles.

12 Q. And Epicure was interested in that?

13 A. Yes, sir.

14 Q. And do you get -- so sitting here

15 today you don't have a specific recollection of

16 how the second 1.2 million bottles ordered on

17 the 16th occurred other than the purchase orders

18 we're looking at?

19 A. What do you mean by "how" they

20 occurred?

21 Q. Conversations with Voyant,

22 correspondence with Voyant about those -- about

23 that second batch of orders?

24 A. No.

25 Q. Okay. And just going back to my

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1 L. Ori

2 Q. And how did you set up the shipping

3 of -- of hand sanitizer that had been produced

4 for Epicure and was warehoused?

5 A. Dan -- Dan was in charge of

6 shipping -- shipping it, but we had contract --

7 contracts with trucking companies.

8 Q. So you would pay the trucking company

9 to retrieve the product from the warehouse and

10 then ultimately get it to a customer?

11 A. Yes, sir.

12 Q. And what was -- do you recall offhand

13 what the name of that company was?

14 A. Not off the top of my head.

15 Q. Okay. The 2.4 million units that

16 Epicure ordered, what did you base that quantity

17 on when you were placing the orders?

18 A. Well, the -- the -- the first one, as

19 you'll recall from the e-mail, was -- was what

20 was available. You know, the 1.2 million

21 bottles was all that Michael could get. So,

22 same with the 12-ounce, that's the reason why

23 there was only 120,000, my recollection from

24 seeing the PO a minute ago, 120,000 12 ounces

25 because that's all the bottles they could

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1 L. Ori

2 original question, so the -- so the 2.4 million

3 bottles that were ordered in April, it was just

4 a product of what Voyant was representing to you

5 they could produce, is that your testimony?

6 A. It was a product of the bottles and

7 caps that Voyant could source.

8 Q. So if -- if Voyant was able to produce

9 more, Epicure would have purchased more?

10 A. I -- I can't speak to that at this

11 point. I don't recall what orders or customers

12 we had then, but that was all that they could

13 get.

14 Q. And so you were taking what they could

15 get?

16 A. At that point, yes, sir.

17 Q. And did you ever discuss with Sarah or

18 Dan, you know, the 2-point million bottles? You

19 know, that seems like a large amount.

20 Did you talk about how you would

21 ultimately sell that quantity of hand sanitizer

22 that was being ordered?

23 A. Absolutely, yes.

24 Q. And what did you discuss in April?

25 A. We -- we met every day. You know,



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1 L. Ori  
2 Thank you.  
3 I'm going to introduce Exhibit 20.  
4 (Ori Exhibit 20, Letter from Epicure  
5 Medical to Michael Partridge at Voyant dated  
6 June 4, 2020, Bates-stamped DEF3680, marked  
7 for identification, as of this date.)  
8 BY MR. GUNNELL:  
9 Q. This is marked as DEF3680. It is a  
10 letter on Epicure Medical letterhead dated June  
11 4, 2020.  
12 Mr. Ori, do you see the document on  
13 the screen?  
14 A. I do.  
15 Q. And what is it?  
16 A. A purchase order from Epicure Medical  
17 signed by me to Michael Partridge at Voyant for  
18 the purchase of 5 million units of sanitizer --  
19 of 2-ounce hand sanitizer.  
20 Q. Is it a purchase order?  
21 A. Oh, excuse me. Letter of intent.  
22 Thank you.  
23 Q. Okay. And that's your signature on  
24 the bottom?  
25 A. Yes, sir.

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1 L. Ori  
2 MR. KORANTENG: Objection. Objection  
3 to form.  
4 MR. GUNNELL: Okay. Noted.  
5 BY MR. GUNNELL:  
6 Q. You can answer.  
7 A. What was the objection?  
8 Q. To form.  
9 A. What does that mean?  
10 Q. It means you still have to answer the  
11 question, but he's preserving the objection for  
12 the record.  
13 A. Okay. Thank you.  
14 I can't comment to the exact amount of  
15 money that was in Epicure's bank account on June  
16 4 of 2020, but I would say that we did not have  
17 the money to -- to terminally purchase 5 million  
18 units of sanitizer.  
19 Q. And are you aware of how much  
20 inventory remained at this point on the initial  
21 2.4 million hand sanitizer bottles that you  
22 purchased in April?  
23 A. I -- I was I'm sure at the time. I  
24 don't know how many was left in that moment --  
25 in this moment, I should say.

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1 L. Ori  
2 Q. And it says, "We're committed to  
3 purchasing 5 million units of 2-ounce hand  
4 sanitizer, monthly, for the next 90 days"?  
5 A. Yes, sir.  
6 Q. And then it says, "This letter of  
7 intent is intended for you to immediately  
8 procure the alcohol and the bottles and caps  
9 prior to a formal purchase order"; is that  
10 right?  
11 A. Yes, sir.  
12 Q. So you understood that this was  
13 committing Epicure to purchase 5 million units  
14 of 2-ounce hand sanitizer?  
15 A. Yes, sir.  
16 Q. And you understood you were directing  
17 Voyant to procure the alcohol and the bottles  
18 and caps in preparation?  
19 A. Yes, sir.  
20 Q. And you understood Voyant would incur  
21 costs of its own in making such preparations?  
22 A. Yes, sir.  
23 Q. And at this time, Epicure didn't have  
24 the funds available to pay for 5 million units  
25 of 2-ounce hand sanitizer, correct?

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1 L. Ori  
2 Q. And why -- why were you ordering  
3 another 5 million units?  
4 A. Because as I indicated earlier, we had  
5 several large clients, all of which that had  
6 committed to 400,000-plus units a month of -- of  
7 product.  
8 Then, you know, we also had an  
9 opportunity with Albertsons, which was -- was in  
10 itself bigger than probably all the others put  
11 together, or as big, that we -- we were  
12 preparing for.  
13 Q. And are those commitments and purchase  
14 orders documents that you collected and provided  
15 with your attorney to produce in this action?  
16 MR. KORANTENG: Will you repeat the  
17 question? I'm sorry, Justin.  
18 BY MR. GUNNELL:  
19 Q. Yeah.  
20 The purchase orders and commitments  
21 you referenced, are those documents you put  
22 together and shared with your attorney to  
23 produce in this action?  
24 A. I know that we did provide some  
25 documents that were provided by Dan Courtney



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1 L. Ori  
2 off the record?  
3 MR. GUNNELL: No.  
4 THE VIDEOGRAPHER: Okay. I'm sorry,  
5 there was this just long pause and I'm  
6 thinking, did I miss something. I'm sorry.  
7 MR. GUNNELL: That was just me looking  
8 for the next exhibit.  
9 THE VIDEOGRAPHER: No problem.  
10 MR. KORANTENG: Just out of curiosity,  
11 how much longer do you guys plan to go?  
12 MR. GUNNELL: What's the run time?  
13 THE VIDEOGRAPHER: Let me give you  
14 that. Just one second.  
15 You are at 4 hours and 49 minutes.  
16 MR. GUNNELL: Okay. I'm very hopeful  
17 that I'll do it within the seven hours I  
18 have. I'll do my best to -- to do it sooner  
19 than that. I guess -- hold on. Let me try  
20 to give you a better estimate than that.  
21 You know, I'm -- I would say I have  
22 probably another two hours, but hopefully  
23 less.  
24 MR. KORANTENG: Okay.  
25 MR. GUNNELL: Is there a request for a

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1 L. Ori  
2 Q. Do you see that?  
3 A. Yes, sir.  
4 Q. Why don't you take a minute to look at  
5 it, and then let me know when you're done.  
6 A. You can go ahead.  
7 Q. Okay. So there is an e-mail from  
8 Michael Partridge and then it says, "Attached is  
9 the summarized receivables to finished goods  
10 that we have completed, 472,000 is past due and  
11 needs to be paid. And then a little over one  
12 million is due at the end of this month."  
13 Do you see that?  
14 A. Yes, sir.  
15 Q. And then you write up top to Dan, you  
16 say, "Here's the bad news. Let's discuss in the  
17 morning." And this is dated July 15.  
18 What do you -- what is this about?  
19 A. I would say the bad news of the -- the  
20 amount of money that's owed -- owed to Voyant.  
21 Q. And did you have a conversation with  
22 Mr. Reilly about that at this time after this  
23 e-mail?  
24 A. I'm sure I did, yeah.  
25 Q. Do you recall this conversation you're

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1 L. Ori  
2 break, or should I just go forward?  
3 MR. KORANTENG: I think we should --  
4 we should go ahead. I mean, unless Lee,  
5 unless you need a break, but --  
6 THE WITNESS: No, I'm fine.  
7 MR. GUNNELL: Okay.  
8 MR. KORANTENG: I have -- I have  
9 several commitments that -- so let's move  
10 forward.  
11 MR. GUNNELL: Okay. This is -- I  
12 mean, you know, we tried to accommodate the  
13 witness's time zone, so we started at noon,  
14 which I understand pushes things later than  
15 usual, but, you know, we understand the  
16 witness is in Arizona, so...  
17 All right. So I guess I'm up to 23  
18 now. This is a document Bates-stamped  
19 DEF0774 to DEF0775. It is an e-mail from  
20 Lee Ori to Dan Reilly.  
21 (Ori Exhibit 23, E-mail from Lee Ori  
22 to Dan Reilly, Bates-stamped DEF0774 to  
23 DEF0775, marked for identification, as of  
24 this date.)  
25 BY MR. GUNNELL:

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1 L. Ori  
2 referencing here, "Let's discuss in the  
3 morning"?  
4 A. I do not.  
5 Q. And, you know, I guess I have to ask:  
6 Did -- didn't you see this coming? You know,  
7 why was it just bad news now?  
8 A. I'm quite confident I saw it coming  
9 before then. You know, I'm letting Dan -- you  
10 know, Dan is also running sales. You know,  
11 it's -- it's -- I'm communicating the,  
12 quote/unquote, bad news to him that -- that, you  
13 know, hey, you've got -- we've got product that  
14 needs, you know, that's -- that's due and we've  
15 got to move it.  
16 So that -- that was the -- in my mind,  
17 that was the intention of my communication.  
18 Q. Okay. Let's move on to Exhibit 24.  
19 (Ori Exhibit 24, E-mail chain with top  
20 e-mail from Lee Ori to Michael Partridge and  
21 Paul Heslin, with CC to Dan Reilly,  
22 Bates-stamped DEF0635 to DEF0637, marked for  
23 identification, as of this date.)  
24 BY MR. GUNNELL:  
25 Q. Exhibit 24 is an e-mail chain marked

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1 L. Ori  
2 DEF0635 to DEF0637. It's an e-mail chain, and  
3 at the top it starts from Lee Ori to Michael  
4 Partridge and Paul Heslin, with a CC to Dan  
5 Reilly.  
6 You see that, Mr. Ori?  
7 A. Yes, sir.  
8 Q. And then I'd like you to take a look  
9 at this e-mail here, the one dated September  
10 3RD.  
11 A. I see it. I'm familiar with it.  
12 Q. Okay. And what do you remember about  
13 it?  
14 A. I'm -- I'm openly communicating with  
15 Michael the status of payments, status of deals,  
16 business, revenue into Epicure from how --  
17 however source it may come in and -- and letting  
18 him know that the -- you know, any money that  
19 comes in either from the sale of sanitizer or  
20 PPE would -- would be directed toward -- would  
21 be directed toward Voyant.  
22 Q. And you said -- you say you wanted to  
23 know how we can work together to get this  
24 product sold.  
25 What did you mean by that?

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1 L. Ori  
2 product, and they -- they had -- they declined.  
3 So, you know, I was trying to get  
4 Voyant to work with us in a multitude of ways in  
5 order to allow us to move the sanitizer or for  
6 them to help us move the sanitizer.  
7 Q. Okay.  
8 A. If I -- if I could break into my Jerry  
9 Maguire, you know, "Help me help you" kind of  
10 thing.  
11 Q. But you understood that you were the  
12 party who made the purchases?  
13 A. I do, I do, but at the end of the day,  
14 you know, if I'm -- if I'm a vendor and I'm  
15 looking at getting -- getting stuck with  
16 sanitizer and I've got people that are calling  
17 me looking to buy it, I'm probably going to pick  
18 up the phone and call the client and say, hey,  
19 I've got people that are looking. You know,  
20 you -- you want to talk to these guys, you want  
21 to unload this. I think I would help myself.  
22 So -- but I respect what you're saying.  
23 Q. I'm going to introduce another  
24 exhibit. This is -- this will be Exhibit 25.  
25 (Ori Exhibit 25, E-mail chain

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1 L. Ori  
2 A. Michael had told me that he had  
3 several inquiries, I don't want to put a number  
4 on it, but he had inquiries into Voyant for  
5 sanitizer. You know, I -- I had asked him about  
6 the possibility of the Voyant, you know,  
7 quote/unquote, selling the sanitizer. You know,  
8 we've got this liability sitting here. If  
9 you've got people that are reaching out to you  
10 looking for product, can we move product?  
11 You know, Dan and I had other  
12 potential opportunities to move product, of  
13 which, you know, it's referenced in another  
14 e-mail of probably which you'll get to, that  
15 we -- that the bottom completely dropped out of  
16 the market. You know, one of the things that  
17 we -- that the problems that we had is, you  
18 know, we're buying product at the dollar-2,  
19 dollar-5, and the bottom drops out and, you  
20 know, you're able to now get it at 65 cents --  
21 60 cents. And -- and, you know, we couldn't  
22 compete.  
23 So, you know, we had went to Voyant  
24 and asked them if they would negotiate a -- a  
25 different rate in order for us to move the

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1 L. Ori  
2 Bates-stamped DEF0421 to DEF0422, marked for  
3 identification, as of this date.)  
4 BY MR. GUNNELL:  
5 Q. And this is marked DEF0421 to DEF0422.  
6 And why don't you take a minute. I'll  
7 try to zoom in a little bit here so you can...  
8 Why don't you take a minute to look  
9 that over. I'm interested in this part. I'm  
10 interested in this e-mail here, the Sunday,  
11 September 6 one, from you to Dan, CC-ing Epicure  
12 Medical. Although you address it to Dan and  
13 CC'd Accounting, you address it to Linda. So I  
14 guess this was an e-mail intended for Linda?  
15 A. If -- if you -- yes. I mean, if you  
16 scroll down, I'm going to assume it was a "reply  
17 all." I don't know if it was --  
18 Q. Looks like Dan is the immediate --  
19 maybe it was a "reply all" to Dan?  
20 A. But you can see Linda was addressed.  
21 Linda was addressed in the earlier e-mail by  
22 Dan.  
23 No, go back up, sir. It specifically  
24 says "Linda, I made payment by accident."  
25 Q. Got it.

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1 L. Ori  
2 A. So I only assume I replied all.  
3 Q. Got it. Okay.  
4 So you say here, "We also need to  
5 distribute funds to the partners this week."  
6 What did you mean by that?  
7 A. Do a distribution to -- to the three  
8 members.  
9 Q. What was the process for that?  
10 A. If you scroll down at the bottom,  
11 it -- you know, Dan -- basically, you know,  
12 we -- this was our -- substantially our  
13 full-time job. You know, Dan -- Dan had  
14 expressed, you know, concern to me that, you  
15 know, he needed -- he needed money to live. We,  
16 you know, by the nature of our partnership, we  
17 couldn't take salaries and we could only take  
18 distributions.  
19 We took very bare minimum  
20 distributions to essentially support our life,  
21 to live off of.  
22 You can see where I asked Dan, "What  
23 do you need...? You indicated \$3,000. Is that  
24 enough? Please advise Linda so she can  
25 schedule." You know, we have-- we have met, we

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1 L. Ori  
2 six total distributions made. It was a  
3 combination of availability of -- of funds  
4 and -- and, you know, the perceived liabilities  
5 at that time and, you know, quite honestly,  
6 necessity. You know, in this case, necessity.  
7 Q. And do you recall how many  
8 distributions were made in 2020?  
9 A. Five or six.  
10 Q. And do you recall how many --  
11 A. I don't recall the exact number.  
12 Sorry. Go right ahead, sir.  
13 Q. Do you recall roughly the total?  
14 A. \$43,000 per member.  
15 Q. And would that -- that amount was --  
16 just happened to be the sum of what the  
17 distributions were? It wasn't a predetermined  
18 amount that you would get X amount over the  
19 year?  
20 A. It was not a predetermined value, no,  
21 sir.  
22 Q. And were the five or six  
23 distributions, were they equal amount or varying  
24 amounts?  
25 A. I believe there were four, four

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1 L. Ori  
2 are in agreement, please let Linda know the very  
3 bare minimum that you need to survive. Is  
4 \$3,000 enough? And that's -- that's what we  
5 distributed to the partners as a result.  
6 Q. In other words, as a result of this,  
7 \$3,000 went to yourself, \$3,000 went to Dan, and  
8 \$3,000 went to Ms. Simmers?  
9 A. Correct.  
10 Q. And did you have any schedule upon  
11 which distributions were made?  
12 A. We did not.  
13 Q. No?  
14 A. Go ahead.  
15 Q. I didn't hear your answer. I'm sorry.  
16 A. We -- we did not have a schedule.  
17 The -- the schedule was -- there wasn't one, no.  
18 Q. And how did distributions come about?  
19 MR. KORANTENG: Objection. The  
20 question is vague. Can you -- can you  
21 rephrase that?  
22 Q. What prompted you to make  
23 distributions when you made them?  
24 A. We -- we met as a group and, you know,  
25 as you probably know, there were only five or

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1 L. Ori  
2 \$10,000 distributions and one \$3,000.  
3 Q. And you didn't receive a salary from  
4 Epicure?  
5 A. We did not.  
6 Q. Do you know if -- if Dan or Sarah  
7 had -- were employed elsewhere in addition to  
8 their work with Epicure?  
9 A. Dan -- Dan was not. Dan -- Dan and I  
10 have solely -- 100 percent of our attention was  
11 devoted to Epicure.  
12 Sar- -- Sarah was also not on salary  
13 anywhere else.  
14 Q. Do you know if Sarah had other sources  
15 of income other than Epicure during this time?  
16 A. I can't speak for Sarah.  
17 Q. Okay. Let me introduce Exhibit 26.  
18 (Ori Exhibit 26, E-mails Bates-stamped  
19 DEF0610 to DEF0611, marked for  
20 identification, as of this date.)  
21 BY MR. GUNNELL:  
22 Q. This is an e-mail Bates-stamped  
23 DEF0610 to DEF0611. Starts with an e-mail from  
24 Michael Partridge to Dan Reilly, and I want to  
25 draw your attention to the e-mail by Dan finally

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1 L. Ori

2 MR. KORANTENG: Mr. Gunnell, I'm

3 having a hard time hearing you. I don't

4 know if everybody else is having the same

5 problem.

6 MR. GUNNELL: Can you hear me? Hello?

7 Can you hear me?

8 MR. KORANTENG: It's -- it's a little

9 better now. It's still a little faded than

10 earlier.

11 Am I only the one having this problem?

12 THE WITNESS: He's going in and out.

13 MR. GUNNELL: Maybe I can move my

14 laptop closer to me. It's a built-in

15 microphone.

16 Can you hear me now?

17 MR. KORANTENG: It's better.

18 BY MR. GUNNELL:

19 Q. So my question was, you knew what the

20 shelf life was when you put the purchase orders

21 in, right?

22 A. Actually, when the first purchase

23 orders were placed, no, I didn't. Did I know

24 subsequently? Yes.

25 Did I ask Voyant to extend the -- the

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1 L. Ori

2 establish an expiration date past a year,

3 absolutely.

4 Q. And do you know what they would have

5 had to go through to establish extra dates?

6 A. I -- I am going to be vague because I

7 honestly don't know, Justin. It's -- it's

8 stability studies. What the stability study

9 would look like for an alcohol-based hand

10 sanitizer, I don't know.

11 Q. Or how long it would take or what the

12 cost would be for Voyant, you don't know that

13 sitting here today, do you?

14 A. I don't. You can do accelerated

15 studies that probably take 90 days. 90 days out

16 you could have -- you could extend dating in as

17 little as 90 days. What that takes, I don't

18 know. I really don't. It's not overly

19 expensive, but it's -- it's -- you know, I can't

20 comment. It's not my world. So...

21 Q. Okay. Let's move on to Exhibit 27.

22 (Ori Exhibit 27, E-mails with top

23 e-mail from Lee Ori to Linda Ragsdale,

24 Bates-stamped DEF0426 to DEF0427, marked for

25 identification, as of this date.)

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1 L. Ori

2 expiration? Absolutely. Did we -- did I ask?

3 Did I -- was I hopeful and did I expect that

4 they would? Yes.

5 Did -- did I expect full transparency?

6 Did I expect that even the June ones would have

7 been longer dated? No, not -- not at -- not at

8 manufacture. But, you know, in -- in

9 manufacturing world, they're always trailing and

10 establishing an expiration date of which they

11 can send a communication or they can give me

12 data that says, hey, we have now established the

13 three-year expiration, you can extend your

14 expiration by two more years.

15 Did I expect that they were

16 establishing longer expiration? Absolutely.

17 Q. Did anyone from Voyant represent to

18 you that they would change the expiration?

19 A. They indicated that they were looking

20 at it, that they were looking to -- to establish

21 that, yeah. I mean, they -- in their world,

22 they -- they can only assign -- they don't know.

23 All they can do is give it a year. That's all

24 they're allowed to do, and I respect that.

25 They're an FDA GAMP facility, but they can

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1 L. Ori

2 BY MR. GUNNELL:

3 Q. This is a document produced by your

4 counsel. It's Bates-stamped DEF0426 to DEF0427.

5 And at the top it's an e-mail from Lee Ori to

6 Linda Ragsdale.

7 Do you see that?

8 A. Yes, sir.

9 Q. And then I'm going to draw your

10 attention to the middle. It's dated October 23.

11 It's an e-mail from Lee Ori to Epicure Medical,

12 which is Accounting@EpicureMedical.com, and you

13 write, "I moved my 10,000 into NEO. Please

14 apply \$8,000 of the money to the credit card.

15 Thank you."

16 What were you referring to there?

17 A. My -- my \$10,000 distribution that was

18 paid, I contributed it to NEO Health, my

19 consulting company, and -- and instructed Linda,

20 who was also my bookkeeper for NEO, to pay my

21 credit card.

22 Q. Was NEO doing business during this

23 time?

24 A. I -- I had \$8,000 of credit card bill,

25 so it -- it certainly had expenses.

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1 L. Ori

2 Q. What were the nature of the expenses?

3 A. I -- I can't tell you.

4 Q. Was it general -- was NEO generating

5 any revenue at this time?

6 A. I was sufficiently working for

7 Epicure. My guess is I was using my NEO card

8 for personal -- personal expenses and/or travel

9 related -- probably related to Epicure, and --

10 and I was personally contributing my money to --

11 to -- to cover those expenses.

12 Q. And then you write here, "I'd like to

13 distribute \$10,000 per person on top of the

14 Voyant payment. Whatcha think?"

15 Do you see that?

16 A. Yes, sir.

17 Q. And this is one of the distributions

18 we talked about earlier?

19 A. Yes, sir. I think that was the last

20 distribution.

21 Q. And you describe it as money to the

22 ownership?

23 A. Correct.

24 Q. Okay. This will be Exhibit 28.

25 (Ori Exhibit 28, Notice from Voyant to

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1 L. Ori

2 you know, even though orders from Epicure

3 ceased -- start over.

4 As sanitizer orders were canceled,

5 commitments were canceled from our customers,

6 you know, we continued to pay Voyant as much

7 as -- all the revenue -- substantially all

8 revenue that came into Epicure was -- was

9 allocated to Voyant. You know, there was

10 reference in the last e-mail of -- of us paying

11 whatever it was in October. You know, we -- we

12 continued to even pay Voyant past that.

13 So, you know, we -- we committed, as a

14 group, as a -- as a membership of Epicure to

15 continue to pay Voyant substantially all money

16 that was collected in order to remove -- remove

17 or relieve our debt.

18 We -- we committed in other e-mails to

19 pay -- paying them -- paying Voyant from other

20 revenue sources such as PPE or any other thing

21 that Epicure would do to generate revenue.

22 So, yeah, we certainly met on this and

23 we certainly had a commitment to pay -- pay our

24 debt. So -- so, yeah, it was not taken lightly.

25 Q. And you were unable to ultimately pay

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1 L. Ori

2 Epicure Medical, Bates-stamped

3 AWAREVOYANT003784 to AWAREVOYANT003786,

4 marked for identification, as of this date.)

5 BY MR. GUNNELL:

6 Q. It is marked AWAREVOYANT003784 to

7 AWAREVOYANT003786. It's also in the chat.

8 Mr. Ori, why don't you take a minute

9 to look it over.

10 A. Yeah, I'm familiar with the document.

11 Q. Okay. What is it?

12 A. It's notice from Voyant to Epicure

13 Medical for -- for, as it says, the proper

14 cancellation of the purchase agreements.

15 Q. And do you recall receiving this on or

16 about November 24th?

17 A. Yes, sir.

18 Q. Did you take any action as a result of

19 this communication?

20 A. I don't recall other -- I mean, yes,

21 but, you know, I'm sure that there was -- that

22 we met as members.

23 You know, we -- we continued, you

24 know, as you just said from the -- the document

25 that you -- the e-mail that you just presented,

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1 L. Ori

2 the debt, right?

3 A. We -- we have paid Voyant

4 substantially all monies that -- that Epicure's

5 collected.

6 Q. That wasn't my question.

7 A. We have paid everything that we could,

8 yes. Have we not paid it in full, then yes.

9 Q. Okay. Do you know if you took

10 partnership distributions again in 2020 --

11 sorry, 2021?

12 A. We did not. Our last distribution was

13 October 23 that you referenced earlier of 2020.

14 Q. Okay.

15 MR. GUNNELL: Why don't we take a

16 short break now. I'm going to try to finish

17 up after my next segment.

18 MR. KORANTENG: Okay.

19 MR. GUNNELL: Let's do -- let's do

20 five minutes.

21 THE VIDEOGRAPHER: The time is 4:13

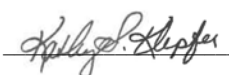
22 p.m. and we are now off the record.

23 (Recess.)

24 THE VIDEOGRAPHER: The time is 4:20

25 p.m. and we are now on the record.

<p style="text-align: right;">Page 282</p> <p>1 L. Ori</p> <p>2 distribution, and then I contributed that</p> <p>3 distribution to NEO. So, first and foremost.</p> <p>4 And then the credit card bill was</p> <p>5 related to expenses that were incurred by NEO.</p> <p>6 It was a complete misspoken. No -- I want to</p> <p>7 make sure I say this correctly. I did not</p> <p>8 personally pay, nor did NEO or any entity</p> <p>9 thereof, pay for anything related to Epicure.</p> <p>10 Furthermore, when I flippantly said</p> <p>11 that it was travel for -- for -- for Epicure, in</p> <p>12 2020, there was no travel. We didn't travel, we</p> <p>13 didn't go anywhere, and there was no travel. So</p> <p>14 there -- there wasn't -- there wasn't any</p> <p>15 need -- there wasn't any opportunity to -- to</p> <p>16 travel in 2020.</p> <p>17 Q. All right.</p> <p>18 I just want to make sure that -- so</p> <p>19 when you mentioned that it may have been</p> <p>20 expenses for Epicure, that -- I mean, that's not</p> <p>21 what you meant, correct?</p> <p>22 MR. GUNNELL: Objection to form.</p> <p>23 A. That -- that is not what I meant.</p> <p>24 Q. Okay. Did you use your personal funds</p> <p>25 to pay for Epicure expenses?</p>	<p style="text-align: right;">Page 283</p> <p>1 L. Ori</p> <p>2 A. I did not.</p> <p>3 Q. And vice-versa, were there points</p> <p>4 where you used funds from Epicure to pay for</p> <p>5 your own personal expenses?</p> <p>6 A. No.</p> <p>7 Q. Okay. This will probably be my last</p> <p>8 listing line of questioning. I think, Lee, and</p> <p>9 it's been, what, close to seven hours so far</p> <p>10 we've been talking, so there's been a lot of</p> <p>11 mention of you, you, you, and I want to -- I</p> <p>12 want to clarify a couple things when it comes to</p> <p>13 that.</p> <p>14 As far as any dealings that you, Lee</p> <p>15 Ori, had with Voyant, in what capacity were you</p> <p>16 dealing with Voyant?</p> <p>17 MR. GUNNELL: Objection.</p> <p>18 A. As -- as a manager of Epicure.</p> <p>19 Q. Okay. And I know there's been a lot</p> <p>20 of discussion in e-mails and a variety of things</p> <p>21 that mention or discuss meetings that you had</p> <p>22 with Dan and Sarah about Epicure operations.</p> <p>23 Do you recall some of those</p> <p>24 testimonies?</p> <p>25 MR. GUNNELL: Objection.</p>
<p style="text-align: right;">Page 284</p> <p>1 L. Ori</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Was there anything that you did</p> <p>4 in terms of the transactions with Voyant that</p> <p>5 was not authorized by Dan and Sarah in your</p> <p>6 discussions?</p> <p>7 MR. KORANTENG: Objection.</p> <p>8 A. Everything was authorized by all three</p> <p>9 parties.</p> <p>10 Q. Okay. And I know that there was</p> <p>11 discussion about -- there's been discussions</p> <p>12 about e-mails back and forth between Voyant and</p> <p>13 Epicure on which Sarah and Dan were all copied.</p> <p>14 Do you -- do you recall some of those</p> <p>15 e-mails?</p> <p>16 A. Yes.</p> <p>17 MR. GUNNELL: Objection.</p> <p>18 Q. Let me -- let me ask you: At any</p> <p>19 given point was there anything that you were</p> <p>20 doing in terms of deals that Epicure was doing</p> <p>21 with Voyant that Dan and Sarah were not aware</p> <p>22 of?</p> <p>23 MR. GUNNELL: Objection. Objection to</p> <p>24 form. Objection, calls for speculation.</p> <p>25 A. There's --</p>	<p style="text-align: right;">Page 285</p> <p>1 L. Ori</p> <p>2 THE WITNESS: Can you -- Kathy, could</p> <p>3 you repeat that for me?</p> <p>4 MR. KORANTENG: Actually, Kathy, don't</p> <p>5 worry. I'm going to strike that question.</p> <p>6 I'm going to rephrase it.</p> <p>7 BY MR. KORANTENG</p> <p>8 Q. Was Dan and Sarah aware of what</p> <p>9 transactions that you were spearheading on</p> <p>10 behalf of Epicure as far as Voyant is concerned?</p> <p>11 MR. GUNNELL: Objection. It asks what</p> <p>12 other parties are aware of.</p> <p>13 A. Well, there's two things to say there,</p> <p>14 both of which were said to Justin at some point</p> <p>15 today.</p> <p>16 Number one was, is Dan and I worked</p> <p>17 side-by-side, literally ten feet apart from each</p> <p>18 other, all day, every day, 14-hour days.</p> <p>19 There was -- there was nothing that</p> <p>20 either one of us did that wasn't in earshot of</p> <p>21 the other. We were in very close quarters all</p> <p>22 day.</p> <p>23 We met many, many times a day. You</p> <p>24 know, throughout every day. Sarah was involved</p> <p>25 in multiple conversations a day, as appropriate.</p>

Page 290		Page 291	
1	L. Ori	1	NAME OF CASE:
2	CERTIFICATE	2	DATE OF DEPOSITION:
3	STATE OF NEW YORK )	3	NAME OF WITNESS:
	: ss	4	Reason Codes:
4	COUNTY OF NEW YORK)	5	1. To clarify the record.
5	I, Kathy S. Klepfer, a Registered	6	2. To conform to the facts.
6	Merit Reporter and Notary Public within and	7	3. To correct transcription errors.
7	for the State of New York, do hereby	8	Page _____ Line _____ Reason _____
8	certify:	9	From _____ to _____
9	That LEE ORI, the witness whose	10	Page _____ Line _____ Reason _____
10	deposition is herein before set forth, was	11	From _____ to _____
11	duly sworn by me and that such deposition is	12	Page _____ Line _____ Reason _____
12	a true record of the testimony given by such	13	From _____ to _____
13	witness.	14	Page _____ Line _____ Reason _____
14	I further certify that I am not	15	From _____ to _____
15	related to any of the parties to this action	16	Page _____ Line _____ Reason _____
16	by blood or marriage and that I am in no way	17	From _____ to _____
17	interested in the outcome of this matter.	18	Page _____ Line _____ Reason _____
18	In witness whereof, I have hereunto	19	From _____ to _____
19	set my hand this 5th day of April, 2022.	20	Page _____ Line _____ Reason _____
20		21	From _____ to _____
21		22	Page _____ Line _____ Reason _____
	KATHY S. KLEPFER, RPR, RMR, CRR, CLR	23	From _____ to _____
22		24	
23		25	
24			
25			